



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Plant Industry
 PO Box 8911
 Madison WI 53708-8911
 Phone: (608) 224-4500
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Order Prohibiting Sale or Movement

YR INSP MO DAY SEQ

(Wis. Stat. § 93.18, 94.01, 94.10(9), 94.76, Wis. Admin. Code ATPC § 21.03(1))

Report No.: ____ - ____ - ____ / ____ - ____

- | | |
|---------------------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> APIARY (Wis. Stat. 94.76) | <input type="checkbox"/> SEED (Wis. Stat. § 94.46 (1)) |
| <input type="checkbox"/> FIREWOOD/LUMBER/LOGS (Wis.Admin.Code ATPC. § 21.03(1)) | <input type="checkbox"/> OTHER, SPECIFY: |
| <input type="checkbox"/> NURSERY/PLANTS/PLANT PARTS (Wis. Stat. § 94.10 (9)) | |

NAME / BUSINESS	LICENSE, CERT. OR PERMIT NO.
INCIDENT LOCATION OR STREET ADDRESS	LABELER OR STOCK SOURCE (if different)
CITY, STATE, ZIP CODE	LABELER OR STOCK SOURCE ADDRESS

While this Order is in effect, you may not move, sell or distribute the identified product(s) without written permission from the Department of Agriculture, Trade and Consumer Protection ("Department") during the duration of this Order. Failure to comply with this Order may result in civil and/or criminal penalties.

You are ordered to hold the product(s) identified below:

- Within 30 days, after service of this Order, the stock either has to be brought into compliance or disposed of as directed by written notice from the Department (Nursery Stock)
- For 30 days (Seed)
- Until the Order is released by the Department

PRODUCT DESCRIPTION, QUANTITY, DISTINGUISHING MARKS, LOCATION, ETC.

An order prohibiting sale or movement (quarantine) is issued by the Department when there is reasonable cause to believe that a product or products violate state law. The Department is authorized to issue this Order under the statutory authority checked above and provided on the back of this form. This Order will remain in effect until you are notified by the Department.

Any person adversely affected by this Order may request a hearing to review this Order within 10 days after service of the Order by mailing or faxing a written request to the Director of the Bureau of Plant Industry using the Department's address or fax number at the top of this form. Please include your reasons for contesting the Order. A request for hearing does not postpone, stay or modify the requirement to comply with this Order.

The undersigned authorized representative of the Department has reasonable cause to believe that the product(s) listed above is (are) in violation of the following laws or rules:

ORDER ISSUED BY	TITLE	
SIGNATURE	PHONE	DATE
ORDER ACKNOWLEDGED BY	TITLE	
SIGNATURE	PHONE	DATE

Nursery – Under Wis. Stat. § 94.10(9) “An authorized employee or agent of the department may, by written notice, order a nursery grower nursery dealer or Christmas tree grower to do any of the following:

1. Temporarily hold nursery stock pending inspection by the department
2. Remedy violations of this section
3. Refrain from importing weeds or pests that threaten agricultural production or the environment in this state
4. Permanently withhold nursery stock from sale or distribution, if the sale or distribution would violate this section or an order issued under this section and the violation cannot be adequately remedied in another manner
5. Destroy or return, without compensation from the department, nursery stock that is sold or distributed in violation of this section, or an order issued under this section, if the violation cannot be adequately remedied in another manner.”

Seed – Under Wis. Stat. § 94.46(1) “The department may issue a written or printed ‘stop sale’ order to the owner or custodian of any lot of agricultural or vegetable seed not conforming with ss. 94.38 to 94.46, or rules thereunder. The order shall specify the sections of the law or rules violated and shall prohibit the sale or other disposition of the seed except as the department authorizes or directs. Unless the seed is brought into compliance with the law or rules and is released from the ‘stop sale’ order, or other disposition is agreed upon in writing within 30 days after service of the order, the seed shall be disposed of as the department by notice in writing may direct. This shall not preclude the voluntary signing of a disposal agreement without the issuance of a “stop sale” order. Any notice or order hereunder may be served personally or by mail and shall have the effect of a special order under s. 93.18 subject to review under Ch. 227 if within 10 days after service of any notice or order, the owner or custodian files with the department a written request for a hearing. Final disposition of the seed shall be stayed during pendency of the hearing but the ‘stop sale’ order shall remain in effect.”

Apiary – Under Wis. Stat. § 94.76, “The department shall maintain surveillance of the beekeeping industry for the detection and prevention of honeybee diseases and pests, and may promulgate or issue such rules or orders or adopt such control measures which in its judgment may be necessary to prevent, suppress or control the introduction, spread or dissemination of honeybee diseases and pests in this state.”

Other Plant Industry Programs – Under Wis. Admin. § 21.03 (1) “Pest quarantine order. The department may issue a summary quarantine order if, in the department’s judgment, the order is necessary to prevent or control the spread of suspected pests. A quarantine order may prohibit the movement of any pest, or any plant, pest host, or pest-harboring material which may transmit or harbor a pest. A quarantine order issued under this subsection may prohibit the movement of bees, bee colonies, or bee apparatus.”